

**BUDGET & FINANCE COMMITTEE**  
**of the**  
**SUFFOLK COUNTY LEGISLATURE**

**Minutes**

A regular meeting of the Budget & Finance Committee of the Suffolk County Legislature was held in the Rose Y. Caracappa Legislative Auditorium of the William H. Rogers Legislature Building, 725 Veterans Memorial Highway, Smithtown, New York on Thursday, **May 6, 2004**.

**MEMBERS PRESENT:**

Legislator Andrew A. Crecca, Chairman  
Legislator William J. Lindsay, Vice-Chairman  
Legislator Allan Binder  
Legislator Daniel P. Losquadro  
Legislator Lynne C. Nowick  
Legislator David Bishop

**ALSO IN ATTENDANCE:**

Mea Knapp, Counsel to Legislature  
Ilona Julius, Deputy Clerk  
Alexandra Sullivan, Chief Deputy Clerk  
Jim Spero, Director of Budget Review  
Ellen Martin, Aide to Leg. Binder  
Ken Knappe, County Executive's Office  
Christine Chayes, County Executive's Office  
Nick Dispenziere, Aide to Leg. Nowick  
Linda Bay, PO's Office  
Anthony Manetta, Aide to Leg. Crecca  
Ken LaValle, Aide to Leg. Losquadro  
Ben Zwirn, County Executive's Office  
Ivan Young, County Executive's Office  
Lynn Bizzarro, County Attorney's Office

**MINUTES TAKEN BY:**

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Diana Kraus, Court Stenographer

**(THE MEETING WAS CONVENED AT 1:11 PM)**

**CHAIRMAN CRECCA:**

Folks would you please rise for the Pledge of Allegiance to be led by Legislative Counsel, Ms. Mea Knapp.

**(SALUTATION)**

**CHAIRMAN CRECCA:**

Thank you, please be seated. Just bear with us for one second. We're seeing how far behind Legislator Binder is. As we're finding out the whereabouts of Legislator Binder, why don't you -- do you have anything you want to share with the Committee? How's everything going over in the Budget Review Office?

**MR. SPERO:**

As you know, we're working on the -- our review of the County Executive's Capital Program. And we're anticipating having our report out on May 20th for your consideration and as to how we'll amend -- what amendments we'll make to the Capital Program. That right now is taking up most of the time with the office.

**CHAIRMAN CRECCA:**

Thank you, Jim. That was very exciting.

Let's go right to the agenda. Tabled prime resolutions. First one on our agenda is **Introductory Resolution 1034 amending the 2004 Capital Program and Budget and appropriating funds for the construction of a skate park at Smith Point County Park, Town of Brookhaven.** There's a request to table by the sponsor. Motion by Legislator Losquadro, second by Legislator Bishop. All those in favor? Opposed? **1034 is tabled.**  
**(Vote: 6-0)**

**IR 1200 Amending the 2004 Operating Budget and the salary and classification Plan to establish a compliance officer to insure accountability.** There's a request by the

Comptroller to table this bill. I'll make a motion to table.

**LEG. NOWICK:**

Second.

**CHAIRMAN CRECCA:**

Seconded by Legislator Nowick. All those in favor? Opposed? **1200 is tabled. (Vote: 6-0)**

**IR 1275 (A resolution rescinding Bond Resolution No. 1190-2002, adopted December 17, 2002 and repealing the authorization of the issuance of \$3,650,000 serial bonds of the County of Suffolk, New York to cover the cost of the State share of grant funds for the Suffolk County Farmland Preservation Program for the acquisition of agricultural development rights.)** I'm not going to read the title. But it's rescinding a bond resolution from 1190 of 2002. There's a request from the Budget Office to table. I'll make a motion to table 1275, seconded by Legislator Lindsay. All those in favor? Opposed? **1275 is tabled. (Vote: 6-0)**

I just want to make sure Allan was recorded on those last several votes. Allan is here.

**IR 1276 - A resolution rescinding Bond Resolution No. 1043-2003 (and repealing the authorization of the issuance of \$1,870,000 serial bonds of the County of Suffolk, New York to pay the cost of the acquisition of land for the reconstruction of CR 35, Park Avenue in the vicinity of Old County Road to CR 86 Broadway-Greenlawn Road, Town of Huntington.)**

Same motion, same second, same vote as 1275. **(Vote: 6-0 Tabled)**

**Prime Introductory Resolutions. IR 1373 - to readjust, compromise and grant refunds and charge-backs on correction or errors/County Treasurer by County Legislature #188.** Motion by Legislator Lindsay, seconded by myself. All those in favor? Opposed? **1373 is approved. (Vote: 6-0)**

And Legislator Bishop makes a motion to place 1373 on the consent calendar. I'll second that motion. All those in favor? Opposed? **1373 is on the consent call. (Vote: 6-0)**

**1374 (to readjust, compromise and grant refunds and charge-backs on real property correction of errors by County Legislature (Control #718-2004)** I have a motion by Legislator Lindsay, second by myself to approve and place on the calendar. All those in favor? Opposed?

**1374 is approved and placed on the consent calendar. (Vote: 6-0)**

**1375 (to readjust, compromise and grant refunds and charge-backs on real property correction of errors by County Legislature (Control #719-2004)** same motion, same second, same vote. **(Vote: 6-0)**

**1377 (to readjust, compromise and grant refunds and charge-backs on real property correction of errors by: County Legislature (Control #717-2004)** same motion, same second, same vote. **(Vote: 6-0)**

**1383 - repealing County mandate on towns to solicit campaign finance fund contributions.** I have a motion by Legislator Nowick, seconded by many people, specifically Legislator Binder. All those in favor? Opposed?

**LEG. BISHOP:**

Opposed.

**CHAIRMAN CRECCA:**

Legislator Bishop is opposed. **1383 is approved. 5 - 1.** Just so you realize, there is costs involved with this now and the amount of money it's collecting? I'm not -- I'm just letting --

**LEG. BISHOP:**

I understand that. You know, frankly I think it's a terrible system. But it's the only campaign finance system we have at the moment. And I support campaign finance reform and public campaign financing. And this is an attempt to do that in a compromised fashion. Ultimately what I think we ought to do is put it up for one last referendum since we have one referendum that says, yes, do a campaign finance system; and another referendum that says yes, do it, but I don't want to pay for it. We should have one that is clear; you know, clear language that has the positive, the negatives and then have a real vote. And we would know where we stand and --

**CHAIRMAN CRECCA:**

I agree with you too, Legislator Bishop. Legislator Nowick.

**LEG. NOWICK:**

Legislator Bishop, I agree with you, too. But just so know, this doesn't -- this is -- voluntary contributions are still in effect. And I have another piece of legislation looking for at least some alternatives until we come up with something brilliant. I just wanted to save -- yeah, I know, I know. But just so the record states, over the past four years, it costs the towns \$160,000. It costs the County an additional 38. If we go to next year, it's additional. So, it's just to save

that money. But we welcome any new referendum.

**CHAIRMAN CRECCA:**

Do you know how much we've collected during that same time period?

**LEG. BISHOP:**

It makes them do work --

**LEG. NOWICK:**

It doesn't make them do work. It just costs them money.

**CHAIRMAN CRECCA:**

How much do we collect during this --

**LEG. NOWICK:**

We collected 36,000 in the last four years; none of which has been used.

**CHAIRMAN CRECCA:**

And I wasn't -- you're right. I mean I understand what you're saying, David, and I don't disagree with you. I actually do agree with you.

**LEG. NOWICK:**

No, I don't either.

**CHAIRMAN CRECCA:**

But in the same respect, too, I can't justify spending close to \$200,000 of taxpayer money to collect \$39,000. It's literally -- there's no better word than asinine to continue a process where we lose money.

**LEG. BINDER:**

Mr. Chairman.

**CHAIRMAN CRECCA:**

Yes.

**LEG. BINDER:**

There probably was a better word but --

**CHAIRMAN CRECCA:**

I think that that's a fine word. It's not vulgar.

**LEG. BINDER:**

But anyway, the disagreement I would have is that there have been three referendums to the people already. The first referendum clearly outlined the question of whether they wanted to be taxed. So to the chagrin of some people, the word "taxed" or "taxpayer" was mentioned too many times. And that was -- over 60% -- 63% against; two-thirds voted against doing that. Then there was a referendum to do it the voluntary system, which is the -- no, I won't use your word, Legislator Crecca, but the lousy system that we have now, which can't raise any money, which never -- was, I think, put into the system to fail. We did it. We knew it was going to fail. But we did it anyway. We knew we couldn't raise any money. And I think that was so we could end up with the third referendum, which we did, which is again a taxpayer funded finance system, where we only said tax one time. And we didn't even do it in the first sentence. We did it somewhere in the middle of the referendum. And they said it would be a taxpayer fund finance system. And again it went down two-thirds.

So there were three referendums. I mean, I don't know how many times we have to ask the people what do you want? Do you want taxpayer finance? Three referendums, two of which were taxpayer finance; two-thirds said no. One was supposed to be voluntary. They said okay to that. I think the people have spoken. And I keep hearing we need one more, one more. Well, the always is one more is, maybe I can get my taxpayer finance system if I say it the right way and I fool them like they did in Maine. The state of Maine, they didn't put it in. No one knew it was taxpayer finance and they passed it. And then people were surprised in questionnaires afterwards, they didn't realize that they were paying for the system. And it happened in other states, too.

So, I think the people have been clear. If we want to do another referendum, we come up with some brilliant ideas, Legislator Nowick said we might have some, some wonderful thought on how to do campaign finance, I think that's all well and good as long as we got the message that the People of Suffolk County don't want taxpayer finance campaign systems. And as long as we understand that, then, I would have no problem with a wonderful, brilliant idea to go to the

people on some kind of privately funded or other way or laws that would change the system.

**LEG. NOWICK:**

Just for the record, this is just the mechanism in which the voluntary contributions are accepted. I believe in the referendum, if that's what the people said. It's just a mechanism. So, we will keep looking for other ways. So if you want to change your composition, that's okay with me.

**LEG. CRECCA:**

**So 1383 is approved.** Please list me as a co-sponsor if I'm not listed already as a co-sponsor, Madam Clerk.

**Introductory Resolution 1435 - implementing cost-savings Operating Agreement between the County of Suffolk and the Suffolk Campaign Finance Board.** I don't know how -- well, it appropriates \$115,000 so, it's interesting to call it cost-savings. Anyway, is there a motion on 1435?

**LEG. BISHOP:**

What was it budgeted for?

**LEG. CRECCA:**

It was budgeted for zero.

**LEG. LINDSAY:**

I'm going to make a motion to approve for the subject of discussion purposes.

**CHAIRMAN CRECCA:**

I'll second the motion so that we can discuss it. That's fine. Legislator Lindsay?

**LEG. LINDSAY:**

Yes. I'd like an explanation of what this bill does.

**CHAIRMAN CRECCA:**

Counsel, if you would.

**MS. KNAPP:**

It moves \$180,000 from the legislative Budget Review Office to the Campaign Finance Board. It has \$34,676 in the personal services account, 892 for furniture, \$20,409 for supplies and 40,365 for contractual expenses. It creates -- and it also has some benefit money in here. It creates in addition to the classification in salary plan of a Director of Campaign Finance Board, a grade 17 in the bargaining unit.

**LEG. BISHOP:**

I think we can derive that they're going to pay the Director, buy him some furniture and provide supplies. I just have one question if I may take your time to ask. This Board was established by what mechanism? Was it by referendum?

**CHAIRMAN CRECCA:**

Campaign Finance Board?

**LEG. BISHOP:**

Yeah. How was this established? By local law?

**CHAIRMAN CRECCA:**

I thought it was by referendum. But I'll --

**MS. KNAPP:**

I believe that it was in the original referendum also; but without going back and checking the law, it's hard for me to remember. It was back in -- was it '94?

**MR. KNAPPE:**

I don't remember the correct year. However, in the first Whereas of our resolution, we do reference that it was a Charter Law that created the campaign finance. It gave them the authority to hire staff and to carry out the functions as the population of Suffolk approved in the referendum.

**LEG. BISHOP:**

So, it's not even by arduous referendum. It was just by local law of the Legislature. So, if you want to kill the Board, then sponsor a local law and kill the Board. But, I think to starve the Board of money is, you know, is kind of a --



**CHAIRMAN CRECCA:**

David. Legislator Bishop, last year in the Omnibus, they were defunded.

**LEG. BISHOP:**

Right. But they were established by the Legislators --

**CHAIRMAN CRECCA:**

Okay? You as well as myself and others voted to defund this Campaign Finance Board.

**LEG. BISHOP:**

I voted for the Omnibus like everybody. That doesn't mean I agree with every aspect of the Omnibus.

**CHAIRMAN CRECCA:**

But I just don't want --

**LEG. BISHOP:**

The point is -- the point is that clearly there's a sense of this Board that they don't like the Campaign Finance Board. They don't feel it's working and they don't think it's a productive body. I mean, I hear it in my own caucus. I see it out here. And I'm not here to defend the Board. I'm here to point to a process which I think is a bit shady -- not shady like illegal shady -- but shady as in intellectually dishonest. I mean if we don't like the Board, just repeal the Board. But why have a Board and then not fund it? I mean what's the point of that? So, I think that that's what we should look at.

**LEG. BINDER:**

Mr. Chairman.

**CHAIRMAN CRECCA:**

Yea, one second. Legislator Binder, go ahead.

**LEG. BINDER:**

The referendum that created this Board, it was created by referendum. 1988. The thing is that it was pretty clear in the wording of the referendum that this was going to be a voluntary system. Now, I understand we're saying voluntary in terms of how people give the money. But people understood that because it wasn't a question of taxpayer finance; that this was going to

be a self-sustaining Board that lived on the money that came in. And I think they should do that. If a certain amount comes in, some of it can be appropriated to expenses. And then the rest of it could go to campaigns or however it works. If not enough comes in, well, then the people are speaking with their pens and their checkbooks and they're not writing the checks out and saying "I don't really want this." It's ineffectual generally. I think we know that. But I don't think people wanted -- and I repeat what I said before. There were three referendums. People don't want -- in two clear referendums people said they don't want by a two to one margin -- the people of Suffolk County said I don't want to spend my tax money on this.

I think it is proper for this Legislature not to spend the people's tax money on running this Board. I think if they come to us with a proposal to take money that was voluntarily given, to put it towards this Board for operating expenses and the left-over to be used for campaigns and running this -- the campaign finance system, I would be interested in looking at that. But I don't think the people's money should go here.

**CHAIRMAN CRECCA:**

I'm just going to add, too, two things. Number one, as best I can tell you even from the resolution itself looking at the original referendum, it authorized the creation of the Suffolk County Campaign Finance Board and funding even as it's quoted here subject to appropriations by the County of Suffolk. The power of appropriation is one of our great responsibilities on whether -- not just what to spend but when to spend it, when not to spend money. I don't think it was shady at all for us not to fund the Campaign Finance Board. It think there was a conscious decision among Legislators that the work they were doing was not justified by the funds they were absorbing of taxpayer dollars.

So I think that's at least for me -- I can only speak for myself -- but I think that was pretty much the motivation of most Legislators who voted for that Omnibus last year knowing full well it wasn't a secret, that we were defunding the Campaign Finance Board. We have hundreds probably or at least dozens of boards in Suffolk County that function without appropriations or with what I will call, you know, minor amounts of money. You know, clerical amounts of money. So in that respect, too, again I think that we -- we exercise our right not to appropriate money. I think now -- to now go into Budget Review's budget, take this money out and appropriate it, when we -- when I don't think people feel it justified in the work the Campaign Finance Board does in using taxpayer dollars for that. I think that's what's behind this. So, I don't -- you know, I don't criticize. I understand what you're saying. And I do think we need to fix it. It doesn't work. There's not a soul in the world that will acknowledge that it works. I

think that Lee Lutz would agree that it's not working. Okay. We didn't have anybody participate in it. So, we don't have enough money in it. So with all that said, it's silly to keep throwing money; whether it's \$180,000 or it's \$10,000 at a board that's not working. You know, we're not here to provide Lee Lutz a job. We're here to do government. And this isn't really serving any governmental purpose that we can't do it under existing -- with our existing resources. So that's why. So, we have a motion from Legislator Lindsay, second from myself.

**MS. BIZZARRO:**

Presiding Officer, I just want to make a comment.

**LEG. CRECCA:**

Thank you for the promotion, but, yes, you can.

**MS. BIZZARRO:**

Chairperson, Crecca, I just wanted to advise the Board that there is a contract outstanding between the Board and -- the Campaign Finance Board and Lee Lutz. Just really an FYI.

**CHAIRMAN CRECCA:**

Who signed the contract?

**MS. BIZZARRO:**

Lee Lutz and, I believe, Miss or Mr. Riordan on behalf of the Campaign Finance Board. And we're just looking into it as far as legalities, just to know that it's out there, and you just should be aware.

**CHAIRMAN CRECCA:**

One of the things that I would just question or ask the County Attorney to examine is, I'm not so sure that Ms. Riordan had legal authority to enter into a binding contract. She certainly doesn't have, I don't believe, the ability to bind the Legislature for appropriations that were never appropriated. So --

**LEG. BINDER:**

Mr. Chairman.

**CHAIRMAN CRECCA:**

Legislator Binder; then Legislator Lindsay.

**LEG. BINDER:**

The other question I would have is it's standard in County's contracts to have a non-appropriations clause. Can I assume that that's in this contract?

**MS. BIZZARRO:**

I read it awhile ago. I don't know that it has it; what is called a non-appropriations clause.

**LEG. BINDER:**

Meaning if there's -- right, if there's no appropriation, then, there's no contract. It's only based or a contingency based on the appropriation of this.

**MS. BIZZARRO:**

I'll take a look at it.

**LEG. BINDER:**

Okay. But I would hope so. And if it's not, then I would want to know who drew up the contract without such an important clause that we do in, I think, almost every contract we do.

**MS. BIZZARRO:**

Okay.

**MR. KNAPPE:**

On historical information with the Campaign Finance Board, the referendum created the Board to act independently. The Board acted independently and they signed into a contract with Mr. Lutz as the Director. So, it's not necessarily a contract where the County Executive signs off on it. However, they are allowed to act independently based on the referendum that was passed. And that would be the part that would have to be referred to.

**CHAIRMAN CRECCA:**

Legislator Lindsay:

**LEG. LINDSAY:**

Yeah, Mr. Knappe, but where did the funding come from for this independence?

**MR. KNAPPE:**

Throughout every year the Campaign Finance Board, the funding has been originally provided in

the Board of Elections operating budget. And then there was a Legislative resolution that transferred the money to the County Legislature's Budget Review Office. It has been in that location, I believe, in that appropriation since 2001 or -- I believe 2001. The County Executive submitted it in that regards as well into Budget Review's 477 account. It was in the Omnibus budget that the Campaign Finance Board as an agency was created with zero dollars tied to it. However, there was never any action taken on the County Executive's recommended part of the budget in 2003 and for the '04 budget. There was no reduction in that budget line. There was no increase or decrease in that Budget Review 477 account. It is the current County Executive's opinion as far as this Budget Office goes, is that dollar amount is there for the Campaign Finance Board. And to go in line with the legislative resolution that was passed with Legislator Vloria Fisher as the sponsor in 2001, which created the Operating Agreement, the funding should be transferred to the Campaign Finance Board as a department in the County, as was indicated in the Omnibus even though there was no funding tied to it, but it was created in the Omnibus. So that the actions of the Campaign Finance Board can be carried out.

**LEG. LINDSAY:**

Okay. Thank you for that clarification. But, just to claim the rest of my time, many of the comments that were made here about the effectiveness of the Campaign Finance Board, I don't disagree with. I agree with it. It's obvious and it's something that's been kicking around as long as I've been here. That's something that we have to address. We have to fix this once and for all. And I'm going to change my motion to approve to a tabling motion for two reasons. Number one, for the County Attorney to research the issues that she wanted to research; and second, to give us an opportunity to company up with some clear-cut legislation that we could put before the voters to find out whether they want this or not. There's a lot of people who are in love with the concept of campaign finance reform. But in practicality it hasn't worked. And, you know, I don't know what the magic pill is, but I would certainly be interested in seeing some thoughts on making it work to debate that issue. As far as the way it exists now, I agree whole heartedly, it doesn't work.

**CHAIRMAN CRECCA:**

Legislator Lindsay, I would certainly agree with you that it needs to be fixed. I don't think that this resolution is the way to fix it. I think you agree. So I don't necessarily -- yeah, I don't necessarily agree with tabling it for that reason just so you understand because I don't think keeping this on the agenda is going to solve the problem at all. My other question is to, I guess, do we have any other situations where we have other than, you know, our elected official,

county-wide elected official, that contracts don't get reviewed by the County Attorney or that they don't get reviewed by our own internal governmental lawyers before the County becomes bound by contract?

**MR. KNAPPE:**

I can't speak specifically on other contracts. I know that there are other boards or other agencies that do receive County funding in the past, maybe not currently that may or may not be subject to either the Legislature or Executive's review. The first one that comes to my mind is the Charter -- the Commission of the Charter Revision Committee. I know in years past they have used a pool of money that has been included in the budget line for them. But without going into detail I can't specifically company up with a --

**CHAIRMAN CRECCA:**

And I wasn't trying to put you on the spot, Ken. I guess that's a little different, though. I know boards spend money sometimes.

**MR. KNAPPE:**

Correct.

**LEG. CRECCA:**

But it's usually they're authorizing legislation or in your case there's appropriations in place.

**MR. KNAPPE:**

Correct.

**CHAIRMAN CRECCA:**

But without appropriations, I think it's highly irregular. I would just ask the County Attorney if we can see a copy of that contract. Do you know when it was signed?

**MS. BIZZARRO:**

I believe in December of '03.

**CHAIRMAN CRECCA:**

Okay. I think it would be beneficial for all Legislators to see a copy of that contract so that would be helpful.

**LEG. BINDER:**

Mr. Chairman.

**LEG. CRECCA:**

Legislator Binder.

**LEG. BINDER:**

I'm sure there's some skepticism of December '03 on this Board. But I guess you can put a date on anything. I guess I want to ask Counsel, it would seem inappropriate that any contract wouldn't go through a review process in the County Attorney's Office. Could you research whether it would take legislation and would that be barred by the '98 act itself, the referendum? But if it wouldn't be barred, maybe we should pass legislation directing that all contracts for the Campaign Finance Board be reviewed and signed off on by the County Attorney's Office and County Executive's Office as normal -- whatever the normal SOP is for contracts; that it go through the SOP. Thanks.

**LEG. BISHOP:**

I'll second his statement.

**CHAIRMAN CRECCA:**

I have a motion to table and a second from Legislator Bishop. All those in favor? Opposed? Two in favor. Four opposed. So the tabling motion fails. Is there any other motion on 1435? Motion to approve by Legislator Bishop. You withdrew it, though, didn't you? Yeah, you did. I took it as a withdrawal. So, I apologize. Roll call on this. It just -- yeah, roll call. It boggles my mind how you can sit here and say that you're against the bill, but you want to approve the bill.

**(Roll Called by Chairman Crecca)**

**LEG. BINDER:**

No.

**LEG. LOSQUADRO:**

No to approve.

**LEG. NOWICK:**

No.

**LEG. BISHOP:**

Yes.

**LEG. LINDSAY:**

Yes.

**CHAIRMAN CRECCA:**

And put me down as a no. **(Failed. Vote: 2-4)**

**Introductory Resolution 1441 - amending the 2004 Capital Budget and Program and appropriating funds in connection with the purchase of a catamaran patrol vessel for policing.** There's a motion to table, I think, on this. There was a request for table -- actually, hold on a second. I'm sorry. Was it the County Executive's Office asking it be tabled, I thought?

**MR. KNAPPE:**

There was a question regarding the offset. I don't who originated the question. The offset is capital project --

**CHAIRMAN CRECCA:**

I originated so I apologize. I just didn't -- I don't want to -- and I apologize -- I wasn't putting you on the spot. I didn't know if we were going to just table it or if you were agreeing to table it. So, you know.

**MR. KNAPPE:**

If I can just speak on the offset, I think the question was in regards to the offset. Capital project 1755 has traditionally been an offset that was used by the Legislature. However, there are no boundaries or why the County Executive and other departments could not use that as an offset. This year's capital budget 2004 with the legislation that the County Executive has already introduced with the construction of a new jail, has tapped many of the offsets throughout the County's capital budget. Capital project 1755 is still a viable offset. There is still sufficient funding available.



**CHAIRMAN CRECCA:**

Absolutely. And I just -- I didn't know if it was -- there was a conscious decision to use it as the offset or if it was just a mistake. But apparently --

**MR. KNAPPE:**

It was a conscious decision. It was one where we were looking at all the possible offsets.

**CHAIRMAN CRECCA:**

Just so --

**LEG. LINDSAY:**

Why don't we table it pending the capital budget working groups.

**CHAIRMAN CRECCA:**

There's a motion to table by Legislator Lindsay, second by myself. On the motion I would just ask County Executive to look for a more appropriate offset. I don't think that there's a will among at least myself and other Committees members to use this as an appropriate offset under the circumstances. I'll leave it at that. All those in favor of tabling? Opposed? **1441 is tabled.**  
**(Vote: 6-0)**

**1448 - appropriating funds for planning, renovations/improvements to the Cohalan Court complex (Capital Program #1125)** I'll make a motion to approve.

**LEG. BINDER:**

Second.

**LEG. CRECCA:**

Seconded by Legislator Binder. All those in favor? Opposed?

**LEG. BISHOP:**

Opposed.

**CHAIRMAN CRECCA:**

**1448 is approved. (Vote: 5-1)** I'm sorry. List Legislator Bishop as opposed to 1448. I'm sorry. I didn't see that.

**MR. KNAPPE:**

If I could just speak on the record on that resolution. I know you already approved it.

**CHAIRMAN CRECCA:**

Sure. I'm sorry. I wasn't trying to cut you off.

**MR. KNAPPE:**

No, I understand. This was a resolution similar to the one the County Executive's Office vetoed in the last cycle. I believe his concerns as stated in the veto message are still valid on this resolution. Exactly what will go forward with this project, there was concerns with in previous --

**CHAIRMAN CRECCA:**

Have you seen the amended version, Ken?

**MR. KNAPPE:**

I have not seen --

**CHAIRMAN CRECCA:**

It was changed on Monday.

**MR. KNAPPE:**

Okay. My apologies.

**CHAIRMAN CRECCA:**

So what I would ask you to do --

**MR. KNAPPE:**

I'll defer my comments, then, until --

**CHAIRMAN CRECCA:**

Yeah, take a look and I'll be happy to sit down and explain it to you, too.

**MR. KNAPPE:**

My apologies.

**CHAIRMAN CRECCA:**

It's the same appropriation. It's just that the way the bill was originally drafted, it really didn't accurately reflect what the allocation was really for. It made it sound like it was saying that the - - to plan the ten court rooms or ten additional courtrooms. What this bill is supposed to be doing is, it's supposed to be a feasible study. When I say feasible, not the traditional study that sits there and says do we need this? There's an acknowledged problem at the courthouse

regarding the security entrance. There's an acknowledged space problem regarding courtroom space. What this does is it's putting it out there -- I assume it will be RFP through the Public Works Department -- to have an architect or some other appropriate person take a look and say, "hey, come back --

**LEG. BISHOP:**

From the existing floor plan.

**CHAIRMAN CRECCA:**

Come back, yes. From the existing floor plan, possibly adding to the existing floor plan. But what are some of the least expensive ways that we can fix the security problems that we have there space-wise; and is there a possibility of adding additional courtrooms at little or less costs than building, you know, brand new courtrooms. So, it's basically -- the idea is to have somebody who'd look at this with an architectural background and come back to us and say, "look, this is a Chinese menu. These are your options. Well, if you added ten courtrooms it would cost, you know, \$20 million. You can do this for \$2 million, you can do this for \$3 million; that kind of thing and try to solve some of the problems that exist there.

Moving onto page three, **Introductory Sense Resolution S-30 - memorializing resolution in support of the Governor's plan to provide critical pension reform.** Motion by Legislator Lindsay, seconded by myself, all those in favor? Opposed? Sense 30 -- on the motion.

**LEG. BISHOP:**

I want to point one thing out on the Governor's plan. Even under the Governor's plan, the Comptroller holds a veto on it. And the State Comptroller said that he would not endorse the Governor's plan. He would find it to be illegal and in violation of his fiduciary duties so the Governor's plan in and of itself is not going to solve the problem unfortunately.

**CHAIRMAN CRECCA:**

Well, the Governor has openly acknowledged that he needs -- just to have a seat to be on board. But a couple of weeks ago he met with Legislators and other village and county and town officials on both sides of the aisle and asked us to do what we could, to try to get this passed. So, there's a motion and a second. All those in favor? Opposed? **Sense 30 thirty is approved unanimously. (Vote: 6-0)**

**Sense 35 - memorializing resolution requesting Secretary of the United States Department of Health and Human Services to review and restructure the local funding**

**of Medicaid.** Is there a motion?

**LEG. BISHOP:**

Our problem with Medicaid funding comes from the state. It's the state mandate that we pick up 50%. Right, and that -- that's clearly, it's unusual. We're one of the few states that does that and I don't support that. But what's the beef with the feds?

**LEG. BINDER:**

If I can echo that, the only thing the feds allow to happen is that the state can decide how much local -- that's the only thing to review is saying that -- I guess not letting the state pass off any of the burden onto localities. And I don't know that --

**LEG. BISHOP:**

So we want a mandate to protect us from their mandate.

**LEG. BINDER:**

Right. Something like that. I think that's what this is asking.

**CHAIRMAN CRECCA:**

There's a motion to table by Legislator Bishop, seconded by myself. All those in favor? Opposed? **Sense 35 is tabled. (Vote: 6-0)**

**Sense 36 - memorializing resolution requesting State of New York to cap Medicaid at -- I assume Medicaid funding -- at the 2001 levels.**

**LEG. BISHOP:**

Why do 2001?

**CHAIRMAN CRECCA:**

That's a very good question. I don't know.

**LEG. BINDER:**

I guess it does it in 2002 or 2003 but it's not as good as 2000.

**LEG. BISHOP:**

It could have been 1994 levels; in the pink completely.

**CHAIRMAN CRECCA:**

Why don't we just do away with them completely. That would really do the best.

**LEG. BISHOP:**

I don't know. That seems a tad arbitrary. And I would want to speak to the --

**LEG. LINDSAY:**

I make a motion to approve.

**CHAIRMAN CRECCA:**

You know, the only thing is, because you're also endorsing, then, the fact that we should be paying at the level we're paying. I mean, I understand --

**LEG. BISHOP:**

Cap Medicaid. Does that mean cap our share or cap services?

**LEG. BINDER:**

No, there's been a movement in NYSI to cap Medicaid -- actually at later levels, 2003 levels.

**LEG. BISHOP:**

Right. Exactly.

**LEG. BINDER:**

And that they will not grow from their local share.

**LEG. BISHOP:**

And I'm on board. And we're all on board on that.

**LEG. BINDER:**

So I think he's saying 2001. Even earlier -- but he's right. In a sense the problem is he's out on his own. And I think one of the problems at this point is that we should -- we can keep sending up different plans and different ideas. We sent up Legislator Postal's -- may she rest in peace -- we sent up her's for part of a, you know, a trade on sales tax. We can keep sending them up. We kind of look like the guy that couldn't shoot straight if we keep shooting different guns.

**LEG. BISHOP:**

I'm with you on this one.

**LEG. BINDER:**

You said, here's the Chinese menu, and pick one but we'll take anything. I mean it would seem to me that maybe we should do is, we should -- and I actually think about this so I'll put it out -- that maybe we should put a task force for lack of a better word -- task force -- I hate that word as much as the other one that the Chairman used -- because we task force everything. But I think we need to understand there are two sides of the question. One of the sides was put out by Senator Skelos and I think it was Senator Johnson that there's a problem that New York City takes a lot more Medicaid than everyone else. And if we go to a purely state system, our income taxes might have to take -- make up for -- make up for the loss, so we would lose money truth be known if it were completely that system unless they lowered the cost of the system.

**LEG. BISHOP:**

If I may interrupt you, the first part of your statement really focused the issue correctly which is that we really should speak with one voice. And NYSAC and the County Executive throughout the state have endorsed this 2003 cap.

**CHAIRMAN CRECCA:**

No, this isn't a NYSAC resolution. This came from NYSAD. These were the recommended resolutions from NYSAD. I just found that out.

**LEG. BISHOP:**

Instead of one? Because we are always told it's been presented in medias '03 and their own publication. .

**LEG. BINDER:**

Right, I remember '03, also.

**CHAIRMAN CRECCA:**

And I don't disagree with you, Dave.

**LEG. BISHOP:**

All right. Can we discharge without recommendation or maybe the sponsor can explain.

**CHAIRMAN CRECCA:**

There's a motion to discharge without recommendation Sense 36 by Legislator Bishop. I'll

second it. On the motion, Legislator Lindsay.

**LEG. LINDSAY:**

Weighing in on the whole subject, I agree with Legislator Binder about --

**CHAIRMAN CRECCA:**

That's a first.

**LEG. LINDSAY:**

-- and yourself as Chairman that we are speak with one voice about, you know, the unfunded mandates coming back down from the state, whether we're talking about pension or whether we're talking about Medicaid. We need help. And I think as many times as we say it, maybe somebody will listen in as many different forms as possible. We need help. It's that simple.

**LEG. CRECCA:**

All right. There's a motion to discharge without recommendation by Legislator Bishop, seconded by myself. All those in favor? Opposed? **Sense 36 is discharged without recommendation. (Vote: 6-0)**

**Sense 37 - memorializing resolution requesting State of New York to reject the Medicaid Overburden Aid Cap.**

**LEG. BISHOP:**

Motion.

**CHAIRMAN CRECCA:**

Motion by Legislator Bishop.

**LEG. BINDER:**

Is this the administrative cap?

**CHAIRMAN CRECCA:**

That's what I'm looking at. This also caps the 2001 levels?

**LEG. LINDSAY:**

Yeah.

**LEG. CRECCA:**

Same motion as Sense 36. There's a motion to discharge without recommendation by Legislator Bishop, seconded by myself. All those in favor? Opposed? **Sense 37 is discharged without recommendation. (Vote: 6-0)**

**Sense 38 - Memorializing resolution requesting State of New York to develop an actuarially sound means of mitigating large year-to-year pension increases.** I'll make a motion to approve, seconded by Legislator Lindsay. All those in favor? Opposed? **Sense 38, whether we like it or not, is approved. (Vote: 6-0)**

This meeting is adjourned. Thank you.

**(THE MEETING WAS ADJOURNED AT 1:52 PM)**